

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 629

S.P. 219

In Senate, February 21, 2013

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**An Act To Restore Eligibility and Funding for Drug Programs for  
the Elderly and Disabled**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator TUTTLE of York.  
Cosponsored by Representative FARNSWORTH of Portland and  
Senators: CAIN of Penobscot, CRAVEN of Androscoggin, GOODALL of Sagadahoc,  
GRATWICK of Penobscot, HASKELL of Cumberland, HILL of York, JOHNSON of Lincoln,  
LACHOWICZ of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §254-D, sub-§4, ¶D,** as amended by PL 2011, c. 657, Pt. HH,  
3 §1, is further amended to read:

4 D. Income eligibility of individuals must be determined by this paragraph and by  
5 reference to the federal poverty guidelines for the 48 contiguous states and the  
6 District of Columbia, as defined by the federal Office of Management and Budget  
7 and revised annually in accordance with the United States Omnibus Budget  
8 Reconciliation Act of 1981, Section 673, Subsection 2, Public Law 97-35,  
9 reauthorized by Public Law 105-285, Section 201 (1998). If the household income is  
10 not more than ~~175%~~ 185% of the federal poverty guideline applicable to the  
11 household, the individual is eligible for the basic program and the supplemental  
12 program. Individuals are also eligible for the basic and the supplemental program if  
13 the household spends at least 40% of its income on unreimbursed direct medical  
14 expenses for prescription drugs and medications and the household income is not  
15 more than 25% higher than the levels specified in this paragraph. For the purposes of  
16 this paragraph, the cost of drugs provided to a household under this section is  
17 considered a cost incurred by the household for eligibility determination purposes.

18 **Sec. 2. Medicaid state plan amendment for the Medicare savings**  
19 **program.** Notwithstanding Public Law 2011, chapter 657, Part HH, section 2, the  
20 Department of Health and Human Services shall prepare and submit a Medicaid state  
21 plan amendment to the federal Centers for Medicare and Medicaid Services that, effective  
22 October 1, 2013, effectively increases income eligibility levels for the Medicare savings  
23 program as follows: for the Qualified Medicare Beneficiary program, to income not more  
24 than 150% of the federal poverty level; for the Specified Low-Income Medicare  
25 Beneficiary program, to income more than 150% but not more than 170% of the federal  
26 poverty level; and for the Qualified Individuals program, to income more than 170% but  
27 not more than 185% of the federal poverty level.

28 **Sec. 3. Appropriations and allocations.** The following appropriations and  
29 allocations are made.

30 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

31 **FHM - Drugs for the Elderly and Disabled Z015**

32 Initiative: Adjusts funding to restore income eligibility levels for the Medicare savings  
33 program.

34			
35	<b>FUND FOR A HEALTHY MAINE</b>	<b>2013-14</b>	<b>2014-15</b>
36	All Other	\$1,219,908	\$1,626,544
37			
38	<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<u>\$1,219,908</u>	<u>\$1,626,544</u>

39 **FHM - Medical Care 0960**

1 Initiative: Adjusts funding to restore income eligibility levels for the Medicare savings  
2 program.

3

4	<b>FUND FOR A HEALTHY MAINE</b>	<b>2013-14</b>	<b>2014-15</b>
5	All Other	(\$1,219,908)	(\$1,626,544)
6			
7	<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<u>(\$1,219,908)</u>	<u>(\$1,626,544)</u>

8 **Low-cost Drugs To Maine's Elderly 0202**

9 Initiative: Provides funding to restore the upper income eligibility level for the Low-cost  
10 Drugs to Maine's Elderly program from 175% to 185% of the federal poverty level.

11

12	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
13	All Other	\$112,154	\$149,538
14			
15	<b>GENERAL FUND TOTAL</b>	<u>\$112,154</u>	<u>\$149,538</u>

16 **Medical Care - Payments to Providers 0147**

17 Initiative: Adjusts funding to restore income eligibility levels for the Medicare savings  
18 program.

19

20	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
21	All Other	\$1,219,908	\$1,626,544
22			
23	<b>GENERAL FUND TOTAL</b>	<u>\$1,219,908</u>	<u>\$1,626,544</u>

24 **Medical Care - Payments to Providers 0147**

25 Initiative: Restores funding for MaineCare hospital crossover payments as a result of  
26 restoring income eligibility levels for the Medicare savings program.

27

28	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
29	All Other	\$1,663,554	\$2,218,072
30			
31	<b>GENERAL FUND TOTAL</b>	<u>\$1,663,554</u>	<u>\$2,218,072</u>

32

33	<b>FEDERAL EXPENDITURES FUND</b>	<b>2013-14</b>	<b>2014-15</b>
34	All Other	\$2,865,588	\$3,820,785
35			
36	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$2,865,588</u>	<u>\$3,820,785</u>

37

